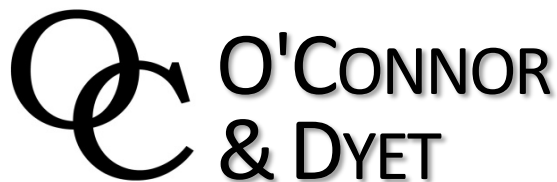


# **EXHIBIT 1**



A Professional Corporation  
Attorneys Licensed In Multiple Jurisdictions

December 2, 2022

---

Writer's Contact Information  
bill.schrank@occlaw.com  
602.241.7016

Jason Ray Drew  
c/o Mehr & Associates  
17500 Red Hill Ave., Ste. 210  
Irvine, CA 92614  
[Bocampo@mehrfirm.com](mailto:Bocampo@mehrfirm.com)

Jason Ray Drew  
c/o Holly Spears, Subrogation Specialist  
National Interstate Insurance Company  
P.O. Box 521  
Richfield, OH 44286  
[Holly.Spears@natl.com](mailto:Holly.Spears@natl.com)

Jason Ray Drew  
c/o Amanda Hutchins  
Knox, Lemmon & Anapolsky  
11249 Gold Country Blvd., Ste. 140  
Gold River, CA 95670  
[ahutchins@klalawfirm.com](mailto:ahutchins@klalawfirm.com)

Hendrickson Truck Lines, Inc.  
7080 Florin Perkins Road  
Sacramento CA 95828

Carmelo Patino  
c/o Trisha Amarantes, Adjuster  
Travelers Indemnity Company of  
Connecticut  
P.O. Box 650293  
Dallas, TX 75265-0293  
[tlamaran@travelers.com](mailto:tlamaran@travelers.com)

Carmelo Patino  
c/o Marisol Ayala, Paralegal  
Cruz & Associates P.C.  
1212 E Osborn Road  
Phoenix, AZ 85014  
[amarisol@cruzfirm.com](mailto:amarisol@cruzfirm.com)

RWC IdeaLease LLC  
600 N. 75th Avenue  
Phoenix, AZ 85043

RWC IdeaLease LLC  
c/o Trish Amarantes  
Travelers  
PO Box 5076  
Hartford CT 06102  
Claim No. FSL1149  
[tlamaran@travelers.com](mailto:tlamaran@travelers.com)

Leah Rekowski  
c/o Ben Jemsek  
Zachar Law Firm, P.C.  
714 E. Rose Lane  
Phoenix, AZ 85014  
[bjemsek@zacharlaw.com](mailto:bjemsek@zacharlaw.com)

Leah Rekowski  
c/o John P. Leader, Esq.  
Leader Law Firm  
405 W. Cool Drive, Suite 107  
Tucson, Arizona 85704  
[john@leaderlawaz.com](mailto:john@leaderlawaz.com)

Alicia Jo Faucher  
22510 S. 116th Street  
Chandler, AZ 85249

Alicia Jo Faucher  
c/o Robert Benson  
Auto Subrogation Representative  
Farmers Insurance Company of Arizona  
National Document Center  
P.O. Box 268992  
Oklahoma City, OK 73126-8992  
[Robert.benson4@farmersinsurance.com](mailto:Robert.benson4@farmersinsurance.com)

December 2, 2022

Page 2

Jon Faucher and Alicia Jo Foucher  
c/o Steve Davidson, Legal Assistant  
Law Offices of Christina M. Tribbia  
P.O. Box 268992  
Oklahoma City, OK 73126

Robert Dale Fogel  
Mikal K. Fogel  
2335 E. Page Mill Drive  
Green Valley, AZ 85614

Robert Dale Fogel and Mikal K. Fogel  
c/o TJ Riddle  
Rebeka Green  
State Farm Mutual Automobile Ins. Co.  
P.O. Box 106170  
Atlanta, GA 30348

Breshawna Brown  
NaJon Brown  
Alahni Brown  
c/o Ellen R. Serbin  
Perona Langer Beck Serbin & Harrison APC  
300 E. San Antonio Dr  
Long Beach, CA 90807

Brandy Lynn White  
413 E. Jacinto Street  
Tucson, AZ 85705

Brandy Lynn White  
c/o Larry H. Parker  
The Law Offices of Larry H. Parker, Inc.  
2001 W. Camelback Rd., Ste. 145  
Phoenix, AZ 85015

Benny Whitehead, Inc.  
969 US Highway 82  
Georgetown, GA 39854

Benny Whitehead, Inc.  
c/o Terry D. Wade  
Subrogation Specialist  
SubrolQ  
P.O. Box 962  
Coraopolis PA 15108

Benny Whitehead, Inc.  
c/o American International Group, Inc.  
P.O. Box 26610  
Shawnee Mission KS 66225  
Claim No. 0388154540US  
Policy No. TP9882307  
[Julie.kimpling@aig.com](mailto:Julie.kimpling@aig.com)

Benny Whitehead, Inc.  
c/o Alan J. Clark  
Sr. Executive General Adjuster  
Engle Martin & Associates  
5565 Glenridge Connector, Suite 900  
Atlanta, GA 30342  
[aclark@englemartin.com](mailto:aclark@englemartin.com)

Dillon Jeffries, General Adjuster  
Harold Holguin  
Network Adjusters, Inc.  
Stanford Place I  
8055 East Tufts Avenue, Suite 600  
Denver, CO 80237  
[djeffries@networkadjusters.com](mailto:djeffries@networkadjusters.com)  
[hholguin@networkadjusters.com](mailto:hholguin@networkadjusters.com)

State of Arizona  
c/o Jacob Weld  
Wieneke Law Group  
1225 W. Washington Street, Suite 313  
Tempe Arizona 85281  
[jweld@wienekelawgroup.com](mailto:jweld@wienekelawgroup.com)

**Re: Skyward Specialty Insurance Company**  
**Claim No. #GC020314**  
**Insured: Cosmos Express, Inc. and Renato Trujillo Ocampo**  
**DOL: October 6, 2021**

All:

I have been retained by Skyward Specialty Insurance Company (formerly Houston International Insurance Group), the commercial motor vehicle liability carrier for Cosmos Express, Inc. dba Day Night Logistics and its driver, Renato Trujillo Ocampo, in connection with the accident of October 6, 2021. All of you are receiving this letter because you have, or potentially have, claims against the liability insurance policy providing coverage to "Cosmos Express" and Mr. Ocampo. ***If you are not involved in this matter and/or should not be a recipient, please contact me so you can be removed from the list.***

December 2, 2022

Page 3

The insurance policy provides \$1 Million in liability coverage, combined single limit. I enclose a copy of the relevant pages of the insurance policy. Cosmos Express has no other insurance coverage above and beyond this policy. Cosmos Express is a small trucking company and has no appreciable assets to pay claims. Mr. Ocampo was killed in the accident. Again, I suspect his estate – if there was one – had no appreciable assets.

The purpose of this letter is to encourage you to communicate with each other and determine – voluntarily between yourselves – how to resolve your claims against the limited funds available. I recognize that Skyward has the option to file an interpleader action, but that can force everybody to file an Answer/Response, incur legal costs, and can be time consuming. Instead, Skyward would prefer that all claimants reach an agreement between themselves for the distribution of the insurance funds, in exchange for a complete release of liability of Cosmos Express, Inc. dba Day Night Logistics and Mr. Ocampo (and his estate).

Alternatively, Skyward is willing to hire a mediator, at its expense, to resolve all claims. If you are agreeable to mediation, please respond promptly with dates in February 2023 on which you are available. The mediation will probably be by Zoom. Hopefully we can all agree upon a mediator. There are several I can suggest, but I would like to hear from you.

My understanding of your respective claims are as follows. If I have misstated the nature and extent of your claim or your representation, I apologize, and please correct me.

**LEAH REKOWSKI – Bodily Injury Claim and Wrongful Death Claim on behalf of herself and two children:**

William Rekowski, Jr. was killed in the accident. Leah Rekowski was injured in the accident. Leah Rekowski has a claim for her bodily injuries and a wrongful death claim for the death of her husband. Additionally, I understand there are two children of William Rekowski who have wrongful death claims. Leah Rekowski and her two children are represented by attorneys Ben Jemsek of the Zachar Law Firm and John P. Leader of the Leader Law Firm. They have already filed suit in Pinal County Superior Court.

**BRANDY LYNN WHITE and BROWN CLAIMANTS:**

Brandy Lynn White was the driver of Vehicle #5 in the accident. She had three minor passengers in her vehicle – Breshawna Brown, NaJon Brown, and Alahni Brown – I understand they have claims for bodily injury. They are represented by Attorney Ellen R. Serbin of Perona Langer Beck Serbin & Harrison APC.

**JASON RAY DREW – Bodily Injury Claim:**

Jason Ray Drew was the driver of Vehicle #2 in the accident. He has a claim for bodily injuries. I understand that he is represented by Amanda Hutchins and/or Meher & Associates. See addresses above.

**NATIONAL INTERSTATE INSURANCE Workers Compensation Lien:**

I understand that National Interstate Insurance is asserting a workers' compensation lien in concerning a workers' compensation claim made by Jason Drew. Holly Spears is the subrogation specialist for National Interstate. The amount of the claim is \$15,420.52.

December 2, 2022  
Page 4

**FARMERS INSURANCE Subrogation Claim:**

Alicia Jo Faucher was the driver of Vehicle #4, registered to Jon Faucher. Mr. Foucher's vehicle was insured by Farmers Insurance Company of Arizona. I understand that Farmers is making a property damage subrogation claim in the amount of \$3,634.42. Farmers is represented by the Law Offices of Christina M. Tribbia, Oklahoma City, Oklahoma.

**TRAVELERS INSURANCE Subrogation Claim:**

Carmelo Patino was the driver of Vehicle #3, registered to RWC IdeaLease, LLC. Insurance coverage on that vehicle was provided by Travelers Indemnity Company. Travelers Indemnity Company of Connecticut has made a subrogation claim for \$46,057.40, which includes its insured deductible. The claims professional handling the subrogation claim for Travelers is Trisha Amarantes.

**SUBROIQ Property Subrogation Claim:**

Leah Rekowski was the driver of Vehicle #5. That vehicle was a 2022 International tractor owned by/registered to Benny Whitehead, Inc. The tractor/trailer was apparently insured by National Union Fire Insurance Company/Endurance American Insurance Company. SubroIQ is the subrogation recovery partner for the insurance company. SubroIQ has submitted a subrogation claim of \$84,461.90, apparently for the cargo loss associated with Benny Whitehead, Inc.

**HENDRICKSON TRUCK LINES, INC. Property Damage Claim:**

Jason Ray Drew was the driver of Vehicle #2. He was driving for Hendrickson Truck Lines, Inc. Hendrickson has submitted a claim for the total loss of its tractor and trailing in the amount of \$91,616.

**STATE FARM INSURANCE Med Pay Subrogation Claim:**

Robert Fogal was the driver of Vehicle #6. Mikal Fogal was a passenger in his vehicle. His vehicle was insured by State Farm Insurance. State Farm has asserted a medical payment subrogation claim for \$5,000 with respect to payments to Mikal Fogal.

If you know of other claims not specified in this letter, let me know. If I am mistaken about your claim or your representation, please contact me.

*If you are willing to waive your claim against Cosmos Express and Mr. Campo because of the number and seriousness of other claims, please contact me.*

My email is [bill.schrank@occlaw.com](mailto:bill.schrank@occlaw.com). My phone number is (602) 241-7016.

Please also contact my secretary, Tamela Gation ([tamela.gation@occlaw.com](mailto:tamela.gation@occlaw.com) or (602) 241-7015) and provide her with your contact information including, email address, phone number(s) and mailing address.

December 2, 2022

Page 5

**When responding to me by email please reference in the subject line "Claim #GC020314: Cosmos Express".**

Kindest regards,

**O'CONNOR & DYET**



William J. Schrank

WJS/tsg

Enc.